



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Lebner

Application No.: 10/625,937

Filing Date: July 24, 2003

Title: DEVICE FOR LACERATION OR INCISION CLOSURE

Art Unit: 3731

Examiner: Pantuck, B.

Docket No.: 0156-2004US01

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with The United States Postal Service as First Class Mail in an envelope Addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8/19/05
PIERCE ATWOOD

Michael Lebner8/19/05

DECLARATION UNDER 37 CFR 1.131

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

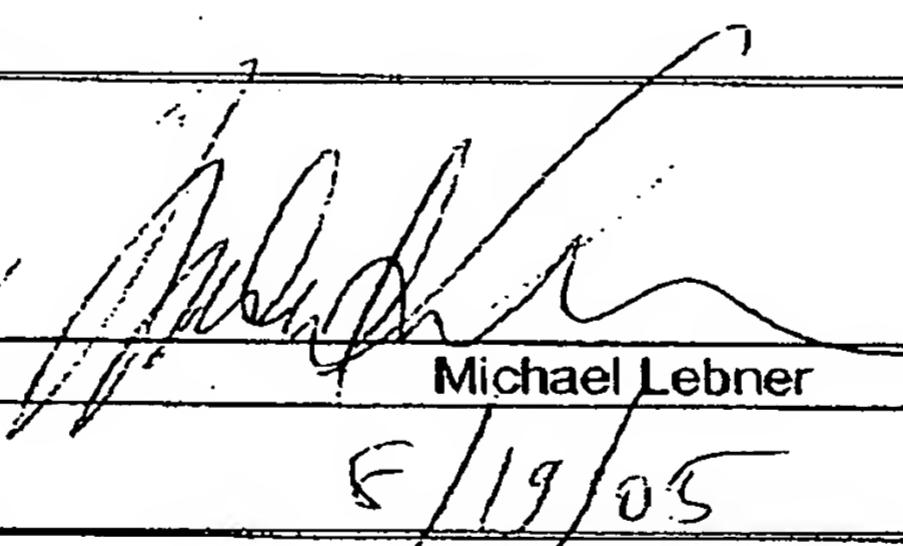
Sir:

I, Michael Lebner, declare and state as follows:

1. I am an inventor of the invention claimed in U.S. Application No. 10/625,937 filed July 24, 2003.
2. Prior to April 14, 2003, in my offices in Wellesley, Massachusetts, I conceived of the invention of Claims 1-34 of the subject patent application. This conception includes the invention of Claims 1-34 as amended in the paper filed concurrently herewith.

Documentary evidence that conception occurred before April 14, 2003 is provided in the attached Exhibit A. Exhibit A is a true copy of a six page document entitled "ClozeX Wound Closure Device Prototype Specification". This document was sent to a manufacturer on January 10, 2003. As can be clearly seen in Diagram 1, page 1, the area surrounding the cutout (see arrow) is adhesive-free. Adhesive is shown by cross-hatching on the surrounding portions of the wound closure device. Additionally, on page 3 of Exhibit A, third paragraph, the description confirms that the cutout area is adhesive free. I have many prototypes produced in the prior to April 14, 2003, which are free of adhesive in the bridging area. Prior to April 14, 2003, at least hundreds of wound closure devices, meeting the limitations of Claims 1-34 as amended in the paper filed concurrently herewith, were produced at my request according to my Specification.

3. The dates and other confidential information have been redacted in the above-referenced Exhibits.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature	
Name	Michael Lebner
Date	5/19/05